

CODE OF CONDUCT PROCESS & SANCTIONING GUIDE

Alverno College values individual rights within a community setting. To ensure that this learning environment is maintained for everyone in the community, the Student Conduct Process has been developed to uphold the standards of our community. Students are expected to be effective citizens and to exhibit behavior that promotes a positive learning environment. Individuals exhibiting unacceptable behavior on or off campus shall be subject to the student conduct process.

The Assistant Dean of Students coordinates the overall student conduct process, as designated by the Dean of Student Development and Success. This includes overseeing the evaluation of both the process and procedures, as well as training any staff members involved in the process.

A student's official file is maintained by the Academic Advising Office. A student's conduct history is maintained by the Dean of Students Office. When serious violations of college policy occur, the Academic Advisor may be included in the documentation to include in the student's official file.

MEDIATION

In some instances, the conflict may be more interpersonal in nature. In these situations, mediation may be utilized to resolve the conflict informally. The goal is to implement a process that involves all parties with the intent of resolving the dispute and preventing it from occurring again. Examples of responses could include, but are not limited to:

- A facilitated conversation between involved parties
- Restorative circles – Several members of the Alverno College staff are trained as facilitators for restorative circles. Those individuals could be brought in to work with those affected by the incident.

If the participants in mediation fail to follow through on the agreed upon outcome, the situation may be referred to the conduct process.

STUDENT RIGHTS IN THE CONDUCT PROCESS

Students who have allegedly violated the Student Code of Conduct are entitled to the following procedural protections. The student:

- Will be heard and treated with respect.
- Will be considered not responsible unless found responsible.
- May request a different Conduct Coordinator if there is a perceived conflict of interest. If either party is concerned about a conflict of interest, such as a established relationship (adviser, faculty member, etc.) they should bring their concerns forward to the Dean of Student Development and Success, or their designee. The Dean of Student Development and Success, or designee, will determine if the conflict of interest warrants an alternative Conduct Coordinator.
- May invite a support person to assist with the process (i.e. parent, spouse, guardian, friend, faculty/staff member). This person can advise the student, accompany the student to the meetings, and assist the student in preparation of any appeal (if applicable). Attorneys may not engage in our conduct process. If the student desires a support person for the process, but does not have someone

to serve in that role, a support person will be assigned to the student.

- May review investigative reports to ensure all relevant witnesses have been interviewed and evidence or information has been gathered.
- May appeal if they feel that the process was not handled according to the policy.

CONDUCT COORDINATOR

When an incident occurs, a report is generated. Students, Community Assistants (CAs), Residence Life staff, Campus Safety, other college staff, or anyone in the Alverno Community may submit an incident report. The Director of Campus Safety will review all incident reports for reporting under the Clery Act and will assist the Assistant Dean of Students and/or Director of Residence Life in referring the matter to the appropriate administrator, who is then considered the Conduct Coordinator. Generally, the following coordinator structure is followed:

- For Resident Students – The Residence Hall Coordinator or Assistant Director
- For Resident Students who have demonstrated repeat behavior concerns - The Assistant Dean of Students
- For Commuter Students - The Assistant Dean of Students
- For Registered Student Groups – The Student Engagement and Leadership Coordinator

*The Dean of Students may also serve as the Conduct Coordinator in instances where there may be a perceived conflict of interest.

Responsibilities of the Conduct Coordinator

- To protect the relevant rights of students
- To interpret and enforce campus policies
- To consider all information carefully before coming to a conclusion
- To assess the student's understanding of the behavior and its impact on the community
- To assess the seriousness of the behavior
- To determine the level of responsibility
- To determine appropriate sanctions when violations of the student conduct code occur

INVESTIGATION & DECISION MAKING

Alverno College utilizes an investigator plus decision maker model to adjudicate allegations of code of conduct violations. This means that one or more trained investigators conducts the investigation and drafts a report. The conduct coordinator then reviews the report and issues a finding. The Campus Safety department serves as the primary investigators for the college and investigators are assigned at the discretion of the Chief/Director of Campus Safety. All investigations will be completed in a timely manner so as not to prolong the effect on any student caused by the investigation and conduct process.

RIGHT TO AN APPEAL

All students involved in the student conduct process have a right to appeal a conduct process decision by writing the appropriate appellate administrator within 3 business days of notification. The following is a list of appellate administrators based on the assigned Conduct Coordinator:

- Conduct Coordinator: Assistant Director of Residence Life; Appellate Administrator: Director of Residence Life/Assistant Dean of Students
- Conduct Coordinator: Director of Residence Life/Assistant Dean of Students; Appellate Administrator: Dean of Student Development and Success
- Conduct Coordinator: Assistant Dean of Students; Appellate Administrator: Dean of Student Development and Success
- Conduct Coordinator: Student Engagement and Leadership Coordinator; Appellate Administrator: Assistant Dean of Students

The appeal statement from the student should include sufficient detail to permit the evaluation of the merit of the grounds for appeal. The student is granted only one appeal. Students may appeal in writing if:

1. A procedure or substantive error occurred that significantly impacted the outcome of the administrative meeting.
2. To consider new evidence unavailable during the original investigation that could substantially impact the original finding or sanction. A summary of this new evidence, why it was unavailable during the original investigation, and its potential impact must be included.
3. The sanction(s) imposed are substantially disproportionate to the severity of the violation.

The Appellate Administrator may review the appeal letter and evidence individually or may appoint an Appeal Panel to review the request. The Appellate Administrator may do one of the following:

1. May deny the appeal if the rationale brought forward does not fit the grounds for appeal listed above.
2. Affirm the finding and the sanction originally determined.
3. Affirm the finding and change the sanction.
4. Decide that the finding was not appropriate for the behavior and dismiss the case.

Students shall receive written notice of the results of their appeal no later than 3 business days after filing the appeal. The decision of the Appellate Administrator is final.

SUMMARY OF CONDUCT PROCESS

1. Incident occurs and a report is generated.
2. Depending on the severity of the allegations, a preliminary investigation may take place to gather information.
3. If necessary, initial remedial actions may be imposed at this time.
4. Conduct Coordinator is assigned and requests a meeting to discuss the process with the respondent(s).
5. In this meeting:

- a. If the responding student takes responsibility and the behavior is a violation of the Student Code of Conduct;
 - i. The Conduct Coordinator imposes a sanction and sets a due date for the sanction.
 - ii. The Conduct Coordinator sends the respondent a written summary of the meeting and findings.
- b. If the responding student does not take responsibility or more information needs to be obtained, further investigation will take place.
 - i. An investigation could involve several meetings with involved parties.
 - ii. Investigator meets with the responding student to summarize the situation and findings.
 - iii. Student may submit a written response within 5 business days.
 - iv. Investigator discusses information gathered with the conduct coordinator.
 - v. Conduct Coordinator meets with the student to deliver finding.
 1. Student is then either found responsible, not responsible, or not enough evidence to make a determination.
 2. Student receives the outcome in writing within 2 business days.

Additional notes regarding the process:

If several students are involved in an incident, the individual students are heard alone, not as a group.

If the complainant makes an accusation, which, after investigation, is determined to have been filed with bad faith or the intent to cause harm, the person filing the complaint can be subject to discipline.

If a student does not appear for a requested meeting, a decision may be made without the student's input based on the evidence available.

SANCTIONING GUIDE

The College's response depends on the nature and severity of the incident and whether or not it can be determined that a policy violation has occurred. If it appears that a policy violation has occurred, the standard conduct process is followed. The College recognizes the right of all parties involved in a complaint to a fair framework for encouraging resolution of complaints. The purpose of a sanction is to provide an educational learning opportunity for the student.

Consequences for Noncompliance of Sanctions

Registration for subsequent semesters will be on HOLD until a student completes the sanctions as determined by the Conduct Coordinator. Failure to comply with any student conduct sanction(s) may result in additional student conduct action.

Sanction Definitions

One or more of the following sanctions may be imposed when a student is found in violation of the student conduct code:

1. **Conduct Warning** – Notice to the student that the behavior is unacceptable and future misconduct may result in further disciplinary action.
2. **Conduct Probation** – A specified period of time during which the student is not in good disciplinary standing. The student may be restricted from leadership positions or from living on campus during college breaks. Failure to maintain behavioral expectations or to comply with sanctions will result in further disciplinary action.
3. **Loss of Privileges** – Denial of a designated privilege for a specified period of time.
4. **Fines** – Monetary sanction which must be paid within a designated period of time.
5. **Restitution** – Student is held responsible for damages to personal or community property through financial compensation or appropriate service.
6. **Educational Sanctions** – This sanction is intended to engage the student in a positive learning experience related to the inappropriate behavior. The sanction allows a student to reflect upon the behavior. Examples include, but are not limited to community service, restorative justice, research paper, presentation of an educational project, or a personal assessment related to the policy violation.
7. **Immediate Removal from Campus** – A student who presents a threat to their own well-being or to the rights, safety and/or property of others may be subject to immediate removal from campus. The student may not re-enter any campus building or be present on campus without the written permission of the Dean of Students or designee. In some cases, this may be a temporary measure until further investigation occurs.
8. **Suspension from the Residence Hall** – For a resident student or a non-resident student who violates residence hall policies, the student may be separated from the hall for a specified period of time. Conditions for readmission will be specified if the student is eligible to return. No refunds will be issued.
9. **Suspension from the College** - Separation of the student from the College for a specific period of time. Conditions for readmission at a later date will be specified.
10. **Dismissal from the Residence Hall** – Student is removed and is no longer allowed to live on campus or have visitation privileges for an indefinite period of time. No refunds will be issued.
11. **Dismissal** – Permanent termination of student status. A dismissed student is no longer eligible to attend classes and is Officially Withdrawn from the College. No refunds will be issued.

Registered Student Organization Sanctions

Conduct meetings for registered student organizations shall be conducted in a manner similar to the procedures outlined in this document. A disciplinary meeting shall be conducted with at least two members representing the group. The spokespersons may have the group's Advisor present. In some instances, entire groups may be held

accountable and sanctioned by the Conduct Coordinator. If a student organization is associated with a national group, the national group will be contacted to discuss the situation and decide appropriate action. In addition to the sanctions listed above, the following may be imposed for student organizations found in violation of college policies. These sanctions are cumulative and recorded from year to year.

1. **Administrative Warning** - A warning to the organization and Advisor that describes the violation and gives them a time period to comply with the sanctions and requirement stipulated.
2. **Student Organization Probation** - Formal notice to the student organization that the behavior in question is unacceptable, and that if continued or if other inappropriate behavior follows, the student organization may be suspended.
3. **Student Organization Suspension** – A student organization suspension means the student group's privilege to exist as a registered student group has been revoked. This revocation may be for a definite or indefinite period of time. This status does have budgetary implications for the student organization. In order to be reinstated, the organization must reapply to the Assistant Dean of Students.

Examples of Possible Educational Sanctions

Sanctioning Guideline Levels (suggested):

Level 1: Basic

- Service Sanctions: between 1-5 hours of service in a 2 week period
- Educational Sanction: Short Presentation or Paper (5-10 slides, 500-700 words)
- Reflection Paper: 500-700 words, no follow up meeting needed
- Fines: Dependent on Violation

Level 2: Intermediate

- Service Sanction: Combination of 2 Level 1 sanctions or 10-20 hours service within a 4 week period
- Educational Sanction: 10-25 slide presentation or 1000 word paper
- Reflection Paper: 700 - 1000 word reflection and follow up meeting on the topic of the reflection
- Fines: dependent on violation and must be combined with another sanction

Level 3: Significant

- At this level there should be a combination of at least one basic and one intermediate sanction. There may also be a Residential Life Probation added if a resident student.